

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**MID-AMERICA BANK & TRUST  
COMPANY,**

**Plaintiff,**

**vs.**

**MIDDLE AMERICA WIRELESS, LLC,  
and SMALL BUSINESS  
ADMINISTRATION,**

**Defendants.**

**Case No. 08-03336-CV-S-GAF**

**ORDER**

Presently before the Court is Plaintiff Mid-America Bank & Trust Company's ("Mid-America") Motion to Stay Defendant Small Business Administration's ("SBA") Motion to Dismiss. (Doc. #91). Mid-America seeks to have the Court stay SBA's Motion to Dismiss until the Court has ruled upon its Motion for Leave to File a Second Amended Complaint. (Doc. #91, 86). SBA objects, arguing that, notwithstanding Mid-America's proposed amendments to its Complaint, the Complaint would still warrant the Court to dismiss the case on the same grounds as stated in its Motion to Dismiss. (Doc. #96). After review and consideration, it is

**ORDERED** that Mid-America's Motion to Stay is **DENIED**. Mid-America shall have up to and including ten (10) days from the date of this Order to file its Suggestions in Opposition to SBA's Motion to Dismiss.

s/ Gary A. Fenner  
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Gary A. Fenner, Judge  
United States District Court

DATED: August 10, 2009